

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231, on this 11<sup>th</sup> day of December, 2001.

Jacqueline K. Borjak

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Joseph B. Richey, II  
Title : **CARBON DIOXIDE-BASED  
BI-LEVEL CPAP CONTROL**  
Serial No. : 09/967,274  
Filed : September 27, 2001  
Attorney Docket No. : 12873/04169

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts dated October 30, 2001, applicant respectfully submits an executed Declaration and Power of Attorney, Assignment (with Recordation Cover Sheet and Fee), and checks in the amount of \$130.00 to cover the filing fee and appropriate surcharge and \$40.00 to cover the Assignment. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

If additional fees are required please charge them to our Deposit Account No. 03-0172.  
Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date: Dec 10 2001

Nenad Pejic  
Nenad Pejic, Reg. No. 37,415  
(216) 622-8835

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/967,274	09/27/2001	Joseph B. Richey II	12873/04169

CONFIRMATION NO. 6800

24024  
CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

FORMALITIES LETTER



\*OC000000006993074\*

Date Mailed: 10/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 306-1202

RECEIVED

OCT 31 2001

Case Number	Sub Case	Action Due	Due Date
1287304169	US	MISSING PARTS	30-Dec-2001
		1 MON EXTENSION	30-Jan-2002
		2 MON EXTENSION	28-Feb-2002
		FINAL MSNG PRIS	30-Mar-2002
		GOOD CAUSE ONLY	30-Apr-2002

Action US-MISSING PART  
Type:

01/31/2002 MWOLDER1 00000016 09967274

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130.00 DP

Verified: \_\_\_\_\_